

DEPARTMENT OF MENTAL HEALTH OFFICE OF HUMAN RIGHTS



Office of Human Rights:

Background

The Department of Mental Health (DMH), Office of Human Rights (OHR) was established to ensure that employees and applicants have equal employment opportunity as provided by law, regulations, and policies. Additionally, OHR ensures that mental health laws, regulations, and policies on the rights of recipients of mental health services are observed in state hospitals and in licensed health and community care facilities. To accomplish these objectives, the OHR provides or oversees the following functions:

Patients' Rights:

Californians with mental illness who are receiving treatment in mental health facilities, including those persons subject to involuntary commitment, are guaranteed numerous rights under State and federal laws, including the right to be free from abuse and neglect, the right to privacy, dignity and humane care, and the right to basic procedural protections in the commitment process. The DMH is required to enter a multi-year contract with a nonprofit organization and the Office of Patients' Rights (OPR) to provide investigative and advocacy services to persons with mental disabilities. The OPR also provides direct advocacy services in the state hospitals as well as training and technical assistance to all county patients' rights advocates.

Equal Employment Opportunity (EEO):

The OHR has the responsibility to protect the rights of every applicant and employee and to provide a work environment free from unlawful discrimination by prohibiting any employee conduct that is discriminatory, and to ensure prompt investigation of complaints of discrimination through the discrimination complaint process.

Reasonable Accommodation:

The OHR is responsible for the implementation of the Reasonable Accommodation Policy as defined in the FEHA and the Americans with Disabilities Act of 1990. DMH's policy is to make reasonable accommodation to the known physical and/or mental limitations of applicants and employees who meet the definition of a qualified person with a disability.

State Hospital EEO Programs:

The OHR oversees the EEO Programs within the state hospitals. Each hospital has an EEO Office with an EEO Officer. The EEO Officers have the responsibility to protect the rights of every applicant and employee as listed under the "Equal Employment Opportunity" section of this fact sheet. The OHR provides functional supervision, support and technical assistance to the EEO Officers.

Policy Responsibilities:

The OHR is responsible for reviewing and revising Department Policy Directives as they relate to OHR functions. These policies may include "Sexual Harassment," "Discrimination Complaint Procedure," "Reasonable Accommodation," "Religious Accommodation," etc.

For more information call: (916) 654-2327